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FORM 6-3

6-41

Practitioner's Docket	No.	2605/101	
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PATENT

atent application	
	Inventor(s)
r	
	Title of invention
	OR
re application of: Miyata et al.	
oplication No : 10/018,311 led: October 30, 2001 or: Meg-3 protein	Group Art Unit: N/A Examiner: N/A
ommissioner for Patents /ashington, D.C. 20231	
NOTE: "An information disclosure statement shatthree months of the filing date of a nation	ONTHS OF FILING OR ST OFFICE ACTION (37 C.F.R. § 1.97(b)) all be considered by the Office if filed by the applicant. (1) within hal application; (1) within three months of the date of entry of the in International application; or (3) before the mailing date of a first ent occurs last.* 37 CF.R. § 1.97(b)
CERTIFICATE of MAILIN	NG/TRANSMISSION (37 C.F.R. § 1.8(a))
nereby certify that this correspondence is, on th	ne date shown below, being:
MAILING	FACSIMILE
deposited with the United States Postal ervice with sufficient postage as first class all, in an envelope addressed to the ommissioner for Patents. WashingtonC. 20231.	☐ transmitted by facsimile to the Patent and Trademark Office.
ervice with sufficient postage as first class ail, in an envelope addressed to the ommissioner for Patents, Washington,	Patent and Trademark Office.
ervice with sufficient postage as first class all, in an envelope addressed to the ommissioner for Patents, Washington, .C. 20231.	
ervice with sufficient postage as first class ail, in an envelope addressed to the ommissioner for Patents, Washington, .C. 20231.	Patent and Trademark Office.

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]--page 1 of 2)

NOTE. The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if fled in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language: (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last, 37 C.F.R. § 1.97(b).

- NOTE: "No certification or fee is due when the filing Is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."
- NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date Indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).
- NOTE: "The term national application' Includes continuing applications (continuations, divisions, continuationsin-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).
- NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 CF.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosures statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner.' Notice of July 6, 1992 (1141 O.G. 63).

Reg. No.: 644658

Signature of Practitioner

Tel. No: 617/443-9292

Harriet M. Strimpel, D.Phil.

Customer No.: 00-2101

(type or print name of practitioner)

Bromberg & Sunstein LLP 125 Summer Street, Boston, MA 02110

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Practitioner's Docket No.	2605/101 PATENT
IN THE UNITED STAT	TES PATENT AND TRADEMARK OFFICE
Patent application	
of	
	Inventor(s)
for	Title of invention
	Title of invention
•	OR
In re application of: Miyata et al.	
Application No.: 10/018,311	Group Art Unit: N/A
Filed: October 30, 2001 For: Meg-3 protein	Examiner: N/A
Commissioner for Patents	
Washington, D.C. 20231	
INFORMATI	ON DISCLOSURE STATEMENT
CERTIFICAT	FE UNDER 37 C.F.R. § 1.8(a) and 1.10*
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(When using Express MExpress II) I hereby certify that this correspondence is, deposited with the United States Postal Washington, D.C. 20231	Mail, the Express Mail label number is mandatory; sess Mail certification is optional.) on the date shown below, being: MAILING al Service in an envelope addressed to the Commissioner for Patents, 37 C.F.R. § 1.10*
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(Information Disclosure Statement [6-1]--page 1 of 6)



NOTE: "An information psure statement shall be considered by the Office lived by the applicant within any one of the handing time periods:

- (1) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d):
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application:
- (3) Before the mailing date of a first Office action on the merits; or
- (4) Before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114."

37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.FR. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O. G. 13 -25 at 17.

WARNING: "No information disclosure statement maybe filed in a provisional application." 37 C.FR. § 1.51(d).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement: (check sections forming a part of this statement: discard unused sections and number pages consecutively)

1	Preliminary Statements
2	FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3	Statement as to Information Not Found in Patents or Publications
4.	Identification of Prior Application in Which Listed Information Was Already Cited
	and for Which No Copies Are Submitted or Need Be Submitted
5.	Cumulative Patents or Publications
3	Copies of Listed Information Items Accompanying This Statement
7.	Concise Explanation of Non-English Language Listed Information Items
	7A. EPO Search Report
	7B. English Language Version of EPO Search Report
3.	Translation(s) of Non-English Language Documents
Э.	Concise Explanation of English Language Listed Information Items (Optional)

(complete the following, if appropriate)

Sections respectively, have been continued on ADDED PAGE(S).

10. Identification of Person(s) Making This Information Disclosure Statement

NOTE: "Once the minimum requirements are met the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

(Information Disclosure Statement [6-1]--page 2 of 6)



Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Miyata et al.

Attorney Docket:

2605/101

Serial No:

10.018.311

Art Group Unit:

N/A

Invest., Vol. 120, No. 4, pages 828-836, 1998

Gendai Iryo, Vol. 32, No. 3, pages 745-750, 2000

Date Filed:

October 30, 2001

Examiner Name:

Not Assigned

Invention:

Meg-3 protein

LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

International Patents

Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass	
<u>EM</u>	AA	EP 0780472 A2	25.06.1997	Ikeda et al.	C12N 15/12	
ENA	AB	WO99/33981	08.07.1999	Lal et al.	C12N 15/12	
	Other Documents					
Examiner Initials	Reference Number	Author	Title of Article Numbers, Da	e, Title of Journal, Vo te	lume Number, Page	
<u>EM</u>	AC	Yasuda et al.	Cultured Hun	uantitative Analysis nan Mesangial Cells ges 154-158, 1998		
GA	AD	Miyata et al.	_	n-predominant Gene ulated in IgA Nephr		

Examiner Signature: Clear B. O Han

Date Considered:

ΑE

1/27/04

Terada et al.

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation *if not* in conformance and not considered. Include copy of this form with next communication to applicant.

02605-00101-189840.1



Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. § 198(a)(2) requires that any information disclosure statement filed under § 1.97 shall include:

"A legible copy of .:

-11/00 Pub.605)

- (i) Each U.S. patent application publication and U.S. and foreign patent;
- (ii) Each publication or that portion which caused it to be listed,
- (iii) For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. . .

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

Exception(s) to above:

- ☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
- ☐ Cumulative patents or publications identified in Section 5.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this statement is	
(check each ap	oplicable item)
(a) □ the inventor(s) who signs belo	ow .
•	SIGNATURE OF INVENTOR
	(type or print name of inventor who is signing)
(b) □ an individual associated with to of this application (37 C.F.R. §	
- -	SIGNATURE OF INVENTOR
	(type or print name of inventor who is signing)
(c) the practitioner who signs belo	w on the basis of the information:
(check each ap	oplicable item)
□ supplied by the inve	ntor(s).
supplied by an indivior of this application. (3	dual associated with the filing and prosecution 7 C.F.R. § 1.56(c))
in the practitioner's fi	le.

Reg. No.: 644658

SIGNATURE OF PRACTITIONER

Tel. No.: 617/443-9292

Harriet M. Strimpel, D.Phil.

Customer No.: 00-2101

(type or print name of practitioner)

Bromberg & Sunstein LLP 125 Summer Street, Boston, MA 02110

(Information Disclosure Statement-Section 10, Identification of Person(s) Making This Information Disclosure Statement [6-1]-page 6 of 6) FORM 6-2.2

6-39

ion 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Miyata et al.

Attorney Docket:

2605/101

Serial No:

10/018,311

Art Group Unit:

Not yet assigned

Date Filed:

October 30, 2001

Examiner Name:

Not yet assigned

Invention:

MEG-3 PROTEIN

LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

International Applications

Class/Subclass Examiner Ref. Document Number Filed Inventor Initials No. AF WO98/54963 (in English) 6/4/98 Young et al. A01N 37/18 AG Specht et al. WO99/47655 (in German). 3/19/99 C12N 15/00 Attached to the German language

Publication is an English language abstract of the invention that was obtained from from the British Mirror web site of the EPO's ESpace-net web site. This abstract appears to be more detailed than that of the German language PCT

Publication WO99/47655 itself.

Examiner Signature:

Elean B.O

Date Considered:

1/27/04

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. § 198(a)(2) requires that any information disclosure statement filed under § 1.97 shall include:



"A legible copy of.:

- (i) Each U.S. patent application publication and U.S. and foreign patent;
- (ii) Each publication or that portion which caused it to be listed,
- (iii) For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. . .

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

Exception(s) to above:

Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
Cumulative patents or publications identified in Section 5.

Section 7A. Concise Explanation of Non-English Language Listed Information Items-EPO Search Report

The relevance with respect to the following citations listed on Forms PTO/SB/08A and 08B (formerly Form PTO-1449):



is submitted on the basis of the accompanying:

(check the appropriate item)

- EPO search report that is in the English language,
- ☐ EPO search report that is not in the English language and that is accompanied also by an English language version of the EPO search report,

that issued on the corresponding European patent application.

Customer No.: 00-2101

Section 10. Identification of Person(s) Making This Information Disclosure Statement

DIPE CO. TOWN SERVICE TO THE SERVICE

The person making this statement is

(check each applicable item)

	•	,
(a) □ the inver	ntor(s) who signs bel	low
		SIGNATURE OF INVENTOR
		(type or print name of inventor who is signing)
	dual associated with plication (37 C.F.R.	the filing and prosecution § 1.56(c))
		SIGNATURE OF INVENTOR
		(type or print name of inventor who is signing)
(c) ■ the practi	tioner who signs belo	ow on the basis of the information:
	(check each a	pplicable item)
	supplied by the inve	entor(s).
	supplied by an indiv of this application. (3	idual associated with the filing and prosecution 37 C.F.R. § 1.56(c))
•	in the practitioner's f	ile.
Reg. No.: 34465	-	SIGNATURE OF PRACTITIONER
Tel. No.: 617/443-9292		Morton Chirnomas (type or print name of practitioner)

(Information Disclosure Statement-Section 10. Identification of Person(s) Making This Information Disclosure Statement [6-1]-page 7 of 7)

Bromberg & Sunstein LLP

125 Summer Street, Boston, MA 02110

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OF.	`	0005/404
-	Practitioner's Docket No	2605/101 PATENT
. 178	R d in the United S	TATES PATENT AND TRADEMARK OFFICE
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-9	Patent application	
DEACE.	of	Inventor(s)
	for	Title of invention
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	In re application of: Miyata et al.	
	Application No.: 10/018,311	Group Art Unit: N/A Examiner: N/A
	Filed: October 30, 2001 For: Meg-3 protein	Examiner. N/A
	Commissioner for Patents Washington, D.C. 20231	
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(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]--page 1 of 2)

Morton Chirnomas (type or print name of person certifying)





FORM 6-3

(Rel. 77-10 98 Pub.605)

6-42



NOTE: The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75: and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if fled in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

- NOTE: "No certification or fee is due when the filing Is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."
- NOTE. "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date Indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).
- NOTE: "The term national application' Includes continuing applications (continuations, divisions, continuationsin-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).
- NOTE. "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 CF.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosures statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner.' Notice of July 6, 1992 (1141 O.G. 63).

Reg. No.: 34465

Signature of Practitioner

Tel. No.: 617/443-9292

Morton Chirnomas.
(type or print name of practitioner)

Customer No.: 00-2101

Bromberg & Sunstein LLP

125 Summer Street, Boston, MA 02110

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FORM 6-1

6-17

OIP E VC)	Practitioner's Docket No	2605/101 PA	TENT			
SEP 11 DOT	in the united st	TATES PATENT AND TRADEMARK OFFIC	E			
RICE TEADERAGE	Patent application					
LIBADES	of					
		Inventor(s)				
	for					
		Title of invention				
		OR				
	In re application of: Miyata et al.					
	Application No.: 10/018,311 Filed: October 30, 2001 For: Meg-3 protein	Group Art Unit: N/A Examiner: N/A				
	Commissioner for Patents Washington, D.C. 20231					
	SUPPLEMENTAL I	NFORMATION DISCLOSURE STATEMENT	•			
	(When using Expres	CATE UNDER 37 C.F.R. § 1.8(a) and 1.10* ss Mail, the Express Mail label number is mandatory; express Mail certification is optional.)				
	I hereby certify that this correspondence is, on the date shown below, being:					
		MAILING				
	deposited with the United States Patents, Washington, D.C. 20231	Postal Service in an envelope addressed to the Commissione 1	er for			
	37 C.F.R. § 1.8(a)	37 C.F.R. § 1.10*				

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office.

with sufficient postage as first class mail.

Date: September 11, 2002

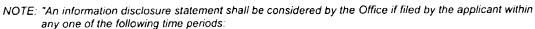
Signature

Morton Chirnomas

(type or print name of person certifying)

(Information Disclosure Statement [6-1]--page 1 of 7)

as "Express Mail Post Office to Addressee" Mailing Label No. EL289073775US





- (1) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d):
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application:
- (3) Before the mailing date of a first Office action on the merits; or
- (4) Before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114."

37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.FR. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O. G. 13 -25 at 17.

WARNING: "No information disclosure statement maybe filed in a provisional application." 37 C.FR. § 1.51(d).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement: (check sections forming a part of this statement: discard unused sections and number pages consecutively)

- 1. Preliminary Statements
- 2. FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
- 3.

 Statement as to Information Not Found in Patents or Publications
- 4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
- 5.

 Cumulative Patents or Publications
- 6. Copies of Listed Information Items Accompanying This Statement
- 7. Concise Explanation of Non-English Language Listed Information Items
 - 7A. EPO Search Report
 - 7B. English Language Version of EPO Search Report
- 8.

 Translation(s) of Non-English Language Documents
- 9.

 Concise Explanation of English Language Listed Information Items (Optional)
- 10. Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections

, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Miyata et al.

Attorney Docket:

2605/101

Serial No:

10/018,311

Art Group Unit:

Not yet assigned

Date Filed:

October 30, 2001

Examiner Name:

Not yet assigned

Invention:

MEG-3 PROTEIN

LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

Other Documents

Examiner

Ref.

Title of Article, Title of Item, Date, Pages

Initials

No.

AH

DATABASE EMBL 'Online!

15 June 1998 (1998-06-15)

ZHANG WP ET AL.: "BE0002 monocyte-derived dendritic cell library Homo sapiens cDNA HDA003 5', mSRNA sequence" retrieved from EMBL Database Accession No. AI003761

XP002200765 *abstract*

Examiner Signature: Clean B. O Hann

Date Considered:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. § 198(a)(2) requires that any information disclosure statement filed under § 1.97 shall include:

"A legible copy of .:

- (i) Each U.S. patent application publication and U.S. and foreign patent;
- (ii) Each publication or that portion which caused it to be listed,
- (iii) For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. . .

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

Exception(s) to above:

- ☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
- ☐ Cumulative patents or publications identified in Section 5.

Section 10. Identification of Person(s) Making This Information **Disclosure Statement**

The person making this statement	is
(check	k each applicable item)
(a) □ the inventor(s) who s	igns below
	SIGNATURE OF INVENTOR
	(type or print name of inventor who is signing)
(b) an individual associat of this application (37	ed with the filing and prosecution C.F.R. § 1.56(c))
	SIGNATURE OF INVENTOR
	(type or print name of inventor who is signing)
(c) the practitioner who sign	gns below on the basis of the information:
(check	each applicable item)
□ supplied by	the inventor(s).
	an individual associated with the filing and prosecution ation. (37 C.F.R. § 1.56(c))
■ in the practit	ioner's file.
Reg. No.: 34465	SIGNATURE OF PRACTITIONER
Tel. No.: 617/443-9292	Morton Chirnomas
Customer No.: 00-2101	Bromberg & Sunstein LLP 125 Summer Street, Boston, MA 02110

(Information Disclosure Statement-Section 10. Identification of Person(s) Making This Information Disclosure
Statement [6-1]-page 6 of 6) 02605/00101 222863 1

PLEASE DATE STAME AND RETLIRU The Commissioner for Phient has reveived from Bromberg & Sussesia LLP the following re-

Express Mail No: EL289073660US () Issue Fee Transmittal & Form PTOL-855 () Payment of ______ Maintenance Fee () Petition for month Extension () Transmittal of Formal Drawings Docke No. 2605/101 M DS & References _AH __ Date: 10/18/02 () Amendment (Pretiminary) () Check in the amount of \$__ () Amendment Transmittal Art Unit: N/A Examiner: N/A () Response Fling/Asser Det. October 30, 2001 () Assignment/Recordation Form Cover Sheet Miyata et al. Serial/Placest No. 10/018,311 () Provisional Application Cover Sheel Tile: Meg-3 protein () Completion of Filing Requirements Documents:
() New Application Transmitta! () Declaration & Power of Attorne () executed () unexecute () Description - pages () sheets of drawings () informal () Claims - pages () Small Entity Statement () Abunct

() Request for Corrected Filing Receipt

16:21.62

0T06 Rec'd PCT 18 OCT 2002

FORM 6-3

Practitioner's Docket No	2605/101	PATENT

of	Inventor(s)
for	Title of invention
	OR
In re application of: Miyata et al.	
Application No.: 10/018,311 Filed: October 30, 2001 For: Meg-3 protein	Group Art Unit: N/A Examiner: N/A
Commissioner for Patents Washington, D.C. 20231	
STATEMENT WITHI BEFORE MAILING OF FIR	EMENTAL INFORMATION DISCLOSURE N THREE MONTHS OF FILING OR RST OFFICE ACTION (37 C.F.R. § 1.97(b))
three months of the filing date of a nati	hall be considered by the Office if filed by the applicant. (1) within onal application; (1) within three months of the date of entry of the n an International application; or (3) before the mailing date of a first event occurs last.* 37 CF.R. § 1.97(b)
(When using Express Mail	JNDER 37 C.F.R. § 1.8(a) and 1.10* , the Express Mail label number is mandatory; Mail certification is optional.)
I hereby certify that this correspondence is, on	the date shown below, being:
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	MAILING
deposited with the United States Postal	MAILING Service in an envelope addressed to the Commissioner for
deposited with the United States Postal Patents, Washington, D.C. 20231	Service in an envelope addressed to the Commissioner for 37 C.F.R. § 1.10°
deposited with the United States Postal Patents, Washington, D.C. 20231 37 C.F.R. § 1.8(a) with sufficient postage as first class ma	Service in an envelope addressed to the Commissioner for 37 C.F.R. § 1.10* ai. as "Express Mail Post Office to Addressee" Mailing Label No EL289073660US TRANSMISSION

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]--page 1 of 2)



NOTE: The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if fled in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

NOTE: "No certification or fee is due when the filing Is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date Indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "The term national application' Includes continuing applications (continuations, divisions, continuationsin-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the ments would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 CF.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosures statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner.' Notice of July 6, 1992 (1141 O.G. 63).

Reg. No.: 34465

Signature of Practitioner

Tel. No.: 617/443-9292

Morton Chirnomas.
(type or print name of practitioner)

Customer No.: 00-2101

Bromberg & Sunstein LLP 125 Summer Street, Boston, MA 02110

5/101PATE
TENT AND TRADEMARK OFFICE
ventor(s)
of invention
OR
Group Art Unit: N/A
Group Art Unit: N/A Examiner: N/A
Examiner: N/A TION DISCLOSURE STATEMENT R 37 C.F.R. § 1.8(a) and 1.10* express Mail label number is mandatory;
TION DISCLOSURE STATEMENT R 37 C.F.R. § 1.8(a) and 1.10° express Mail label number is mandatory; extification is optional.)
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TION DISCLOSURE STATEMENT 37 C.F.R. § 1.8(a) and 1.10* express Mail label number is mandatory; ertification is optional.) the shown below, being: AILING e in an envelope addressed to the Commissioner for 37 C.F.R. § 1.10*
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TION DISCLOSURE STATEMENT R 37 C.F.R. § 1.8(a) and 1.10* express Mail label number is mandatory; ertification is optional.) It is shown below, being: AILING e in an envelope addressed to the Commissioner for 37 C.F.R. § 1.10* as "Express Mail Post Office to Addressed Mailing Label No. EL289073

(Information Disclosure Statement [6-1]--page 1 of 6)



NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following time periods:

- Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- (3) Before the mailing date of a first Office action on the merits; or
- (4) Before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114."

37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.FR. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O. G. 13 -25 at 17.

WARNING: "No information disclosure statement maybe filed in a provisional application." 37 C.FR. § 1.51(d).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement: (check sections forming a part of this statement: discard unused sections and number pages consecutively)

1.	Pre	liminary	Sta	tement	ts
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- 2. FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
- 3.

 Statement as to Information Not Found in Patents or Publications
- 4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
- 5.

 Cumulative Patents or Publications
- 6. Copies of Listed Information Items Accompanying This Statement
- 7. Concise Explanation of Non-English Language Listed Information Items
 - 7A. EPO Search Report
 - 7B. English Language Version of EPO Search Report
- 8.

 Translation(s) of Non-English Language Documents
- 9. Concise Explanation of English Language Listed Information Items (Optional)
- 10. Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections

, respectively, have been continued on ADDED PAGE(S).

NOTE: *Once the minimum requirements are met the examiner has an obligation to consider the information.* Notice of April 20, 1992 (1138 O.G. 37-41, 37).



Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.